

BEFORE THE DEPARTMENT OF AGRICULTURE
OF THE STATE OF MONTANA

In the matter of the proposed)
amendment of ARM 4.4.303 relating to) NOTICE OF PUBLIC HEARING ON
insured crops) PROPOSED AMENDMENT

TO: All Concerned Persons

1. On March 6, 2008, at 10:00 a.m. the Montana Department of Agriculture will hold a public hearing in Room 225 of the Scott Hart Building, 303 N. Roberts at Helena, Montana, to consider the proposed amendment of the above-stated rule.

2. The Department of Agriculture will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process and need an alternative accessible format of this notice. If you require an accommodation, contact the Department of Agriculture no later than 5:00 p.m. on February 28, 2008, to advise us of the nature of the accommodation that you need. Please contact Cort Jensen at the Montana Department of Agriculture, 303 North Roberts, P.O. Box 200201, Helena, MT 59620-0201; Phone: (406) 444-3144; Fax: (406) 444-5409; or e-mail: agr@mt.gov.

3. The rule as proposed to be amended provides as follows, stricken matter interlined, new matter underlined:

4.4.303 INSURED CROPS (1) All crops authorized under 80-2-205, MCA, including the following, may be insured at any time ~~to~~ through August 15.

alfalfa	alfalfa seed	barley	beans
<u>camelina</u>	canary seed	canola	<u>chick peas</u>
corn	flax	<u>fruit</u>	grass crops*
herbs	lentils	millet	mint
mustard	oats	peas	potatoes
rape	rye	safflower	<u>sanfoin</u>
sorghum	soybeans	speltz	sugar beets
sunflowers	triticale	truck crops	wheat
wheat grass			

*{does not include forage}

AUTH: 80-2-201, MCA

IMP: 80-2-205, MCA

REASON: The Board of Hail Insurance voted on April 27, 2007 to include these crops to ensure producer's knowledge that these crops are eligible for coverage. These crops have been insured but the department needs to add them to the rule to make sure producers are aware of available coverage. The existing crops were alphabetized to make the list easier to use. This administrative rule will

not have an economic impact because crops are being added for clarification purposes that were already insured.

4. Concerned persons may submit their data, views, or arguments concerning the proposed action in writing to Cort Jensen at the Montana Department of Agriculture, 303 North Roberts, P.O. Box 200201, Helena, MT 59620-0201; Fax: (406) 444-5409; or e-mail: agr@mt.gov. Any comments must be received no later than 5:00 p.m. on March 13, 2008.

5. The department maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written request may be sent or delivered to Montana Department of Agriculture, 303 North Roberts, P.O. Box 200201, Helena, MT 59620-0201; Fax: (406) 444-5409; or e-mail: agr@mt.gov or may be made by completing a request form at any rules hearing held by the Department of Agriculture.

6. An electronic copy of this Notice of Public Hearing on Proposed Amendment is available through the department's web site at www.agr.mt.gov, under the Administrative Rules section. The department strives to make the electronic copy of the Notice conform to the official version of the Notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the Notice and the electronic version of the Notice, only the official printed text will be considered. In addition, although the department strives to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems.

7. The bill sponsor notice requirements of 2-4-302, MCA, do not apply.

DEPARTMENT OF AGRICULTURE

/s/ Gary Gollehon
Gary Gollehon, Chair
Board of Hail Insurance

/s/ Ron de Yong
Ron de Yong, Director

/s/ Cort Jensen
Cort Jensen, Rule Reviewer

Certified to the Secretary of State, February 4, 2008.